

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

KENNETH J. MARINO,

Plaintiff,

v.

C.A. No. 07-426-JJF

CROSS COUNTRY BANK and
APPLIED CARD SYSTEMS, INC.,

Defendants.

STIPULATED ORDER EXTENDING TIME

WHEREAS, by agreed Rule 16 Scheduling Order (D.I. 30) entered by the Court on December 20, 2007, the Court set the deadline for the parties to exchange pre-discovery disclosures as January 31, 2008;

WHEREAS, on January 24, 2008, the parties engaged in a mediation session in the Appellate Mediation Program for the United States Court of Appeals for the Third Circuit and in which mediation the parties are attempting to reach a global resolution of all disputes between the parties, including this action;

WHEREAS, a possible global resolution is being considered by the plaintiff, Kenneth J. Marino, who will be providing a response to the Third Circuit mediator on or before January 31, 2008;

WHEREAS, the parties desire to avoid the expense of preparing pre-discovery disclosures that will be unnecessary if a global resolution of all disputes is reached through the Third Circuit mediation;

WHEREAS, a brief extension of the deadline to exchange pre-discovery disclosures will not affect the remainder of the deadlines in the Rule 16 Scheduling Order.

THEREFORE, the parties stipulate, subject to approval of the Court, that the deadline to exchange pre-discovery disclosures pursuant to Fed. R. Civ. P. 26(a)(1) and D. Del. LR 16.2 shall be extended until February 21, 2008.

GIBSON & PERKINS, P.C.

OBERLY, JENNINGS & RHODUNDA, P.A.

/s/ Kevin W. Gibson
Kevin W. Gibson (No. 2025)
1326 King Street
Wilmington, DE 19801
610-565-1708 – Telephone
610-565-4358 – Facsimile
kevingibson@gibperk.com

/s/ Karen V. Sullivan
Charles M. Oberly, III (No. 743)
Karen V. Sullivan (No. 3872)
1220 Market Street, Suite 710
P.O. Box 2054
Wilmington, DE 19899-2054
302-576-2000 – Telephone
302-576-2004 – Facsimile
coberly@ojlaw.com
ksullivan@ojlaw.com

It is **SO ORDERED** this _____ day of _____, 2008.

United States District Judge

OBERLY, JENNINGS & RHODUNDA, P.A.

1220 Market Street – Suite 710

P. O. Box 2054

Wilmington, Delaware 19899

Charles M. Oberly, III
Kathleen M. Jennings
William J. Rhodunda, Jr.

Karen V. Sullivan
Chandra J. Rudloff

(302) 576-2000
Fax (302) 576-2004
E.I.No. 51-0364261
Writer's e-mail coberly@ojlaw.com

January 29, 2008

Via CM/ECF & Hand Delivery

The Honorable Joseph J. Farnan, Jr.

United States District Court

844 North King Street

Wilmington, DE 19801

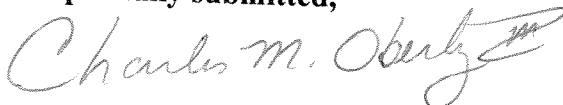
Re: Marino v. Cross Country Bank, et al. – C.A. No. 07-426-JJF

Dear Judge Farnan:

Enclosed for Your Honor's consideration is a Stipulated Order Extending Time, which extends the time for the parties to make initial disclosures in the hope that the parties will resolve the case in the interim through mediation. The parties respectfully request that you enter the proposed stipulated Order.

I am available at the convenience of the Court to answer any questions.

Respectfully submitted,



CHARLES M. OBERLY, III (No. 743)

CMO/alv

Enclosure

cc: Dr. Peter T. Dalleo
Kevin W. Gibson, Esquire (via CM/ECF)